

AGENDA - COUNCIL MEETING - TUESDAY - AUGUST 17, 2010 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2010-0601 to 2010-0618
ORDINANCES – 2009-0660 to 2009-0677
RESOLUTIONS – 2010-0050 to 2010-0052

2010-0600-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motion 2010-0601 – Procedural motion
Motion 2010-0602 – Procedural motion
Motion 2010-0603 – Procedural motion
Motion 2010-0604 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - AUGUST 18, 2010 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARINGS

1. Motion 2010-0605 – Close hearing

PUBLIC HEARING to consider the re-adoption of the Houston Youth Recreation Programs Standards of Care as codified at Article XII, Chapter 32 of the Code of Ordinances, Houston, Texas in compliance with Section 42.041(b) of the Texas Human Resource Code

a. Ordinance 2010-0660

ORDINANCE re-adopting the Houston Youth Recreation Programs Standards of Care as codified at **ARTICLE XII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; containing findings and other provisions related to the subject; providing an effective date; providing for severability

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 36

MISCELLANEOUS - NUMBERS 2 and 3

2. Motion 2010-0606

REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON CONVENTION CENTER HOTEL CORPORATION BOARD OF DIRECTORS**, for terms to expire December 31, 2011:

- Position One - **MR. JOE TING**, reappointment
- Position Two - **MS. KATY CALDWELL**, appointment
- Position Three - **MR. THOMAS DEON WARNER**, appointment
- Position Four - **MR. RICHARD J. CAMPO**, reappointment, and to serve as Chair
- Position Five - **MR. DAVID SOLOMON**, reappointment
- Position Six - **MR. HASMUKH D. PATEL**, appointment
- Position Seven - **MS. DESRYE M. MORGAN**, appointment
- Position Eight - **MR. DAVID W. ARPIN**, appointment
- Position Nine - **MR. RICHARD A. RABINOW**, appointment

3. Motion 2010-0607

REQUEST from Mayor for confirmation of the reappointment of **MR. FRANKLIN D. R. JONES, JR. (HISD Representative)** to Position Six of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY**, for a term to expire May 6, 2012

ACCEPT WORK - NUMBERS 4 through 7

4. Motion 2010-0612

RECOMMENDATION from Interim Director General Services Department for approval of final contract amount of \$2,105,723.00 and acceptance of work on contract with **GILBANE BUILDING COMPANY** for HPD Qualification Pistol Range - 18.30% over the guaranteed maximum price **DISTRICT B - JOHNSON**

5. Motion 2010-0608

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,631,494.58 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal - 3.9% under the original contract amount

6. Motion 2010-0609

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,602,361.20 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Wastewater Collection System Rehabilitation and Renewal - 1.1% under the original contract amount

7. Motion 2010-0610

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,280,137.58 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Pump Station Upgrade at Park Glen I - 0.28% over the original contract amount **DISTRICT F - HOANG**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 11

8. Motion 2010-0613

CRYSTAL COMMUNICATIONS - \$2,929,676.58, **INX, INC** - \$845,290.98, **JTS** - \$964,622.09, **MSC INDUSTRIAL SUPPLY** - \$217,955.00 and **MOBIUS PARTNERS** - \$37,937.30 for Purchase of Equipment, Hardware, Software, and Licenses from the State of Texas Procurement & Support Services Contract and the City's Master Agreement with the Texas Department of Information Resources for a Wi Max Radio System for Department of Public Works & Engineering - Total including contingencies \$5,000,000.00 - American Recovery and Reinvestment Act Fund

9. Motion 2010-0611

C. F. MCDONALD ELECTRIC, INC to Furnish and Install Variable Frequency Drive for the Department of Public Works & Engineering - \$198,469.00 and contingencies for a total amount not to exceed \$208,392.45 - Enterprise Fund

10. Motion 2010-0614

CDP DIAMOND PRODUCTS, INC for Concrete Saw Blades for Various Departments \$247,308.00 - Enterprise Funds

11. Motion 2010-0615

AMEND MOTION #2007-471, 5/9/07, TO INCREASE spending authority from \$2,625,161.26 to \$3,281,451.58 for Scientific Products for Various Departments, awarded to **VWR INTERNATIONAL, INC** - General, Enterprise, Grant and Stormwater Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 36

12. Resolution 2010-0050

RESOLUTION approving and authorizing the issuance of \$1,100,000 of Bonds by the International Management District - **DISTRICTS C - CLUTTERBUCK; F - HOANG and G - PENNINGTON**

13. Resolution 2010-0051

RESOLUTION approving and authorizing the nomination of **INVESCO MANAGEMENT GROUP, INC** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT C - CLUTTERBUCK**

14. Resolution 2010-0052

RESOLUTION approving and authorizing the nomination of **PLAINS ALL AMERICAN PIPELINE, L.P.** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - **DISTRICT I - RODRIGUEZ**

15. Ordinance 2010-0668

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the City Hall Preservation Committee; dissolving the committee and **AMENDING CHAPTER 33-214 OF THE CODE OF ORDINANCES** to transfer certain of the Committee's functions to the Houston Historical and Archaeological Commission; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability

RESOLUTIONS AND ORDINANCES - continued

16. Ordinance 2010-0661

ORDINANCE approving and authorizing the submission of an application for grant assistance for the City's Immunization Program and contract with the Department of State Health Services to continue and expand Immunization Outreach And Service Delivery Activities from such grant funds; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health and Human Services or his designee to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

17. Ordinance 2010-0662

ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to expand routine HIV Testing in Emergency Departments and Community Health Centers in Harris County from Grant Funds for the Houston Department of Health and Human Services

18. Ordinance 2010-0663

ORDINANCE approving and authorizing contract between the City of Houston, Texas and the Texas Department of State Health Services for Bioterrorism Preparedness from Public Health Emergency Preparedness Grant Funds for the Houston Department of Health and Human Services

19. Ordinance 2010-0664

ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** to develop plans and infrastructure to provide prophylactic medications to the entire population of the Houston Metropolitan Statistical Area in the event of a large-scale public health emergency under the Cities Readiness Initiative from Federal Grant Funds for the Houston Department of Health and Human Services

20. Pulled - Not Considered

ORDINANCE approving and authorizing Conservation Easement Agreement between the City of Houston, as Grantor, and the Texas Historical Commission, as Grantee, for the preservation of the Julia Ideson Building - **DISTRICT I - RODRIGUEZ**

21. Council Member Clutterbuck tagged

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **NORTH FOREST INDEPENDENT SCHOOL DISTRICT** under the American Recovery and Reinvestment Act for Installation of New Energy Efficient Roof - \$1,500,000.00 - American Recovery and Reinvestment Act Fund - **DISTRICT B - JOHNSON**

22. Ordinance 2010-0669

ORDINANCE providing for an Ad Valorem Tax Exemption on a significant historic structure located at 1846 Harvard Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events - **DISTRICT H - GONZALEZ**

23. Council Member Gonzalez tagged

ORDINANCE approving agreement between the City of Houston, Texas and **INTOWN HOMES, LTD.** pursuant to Chapter 380 of the Texas Local Government Code for Economic Development Assistance for development of three residential subdivisions in the City

RESOLUTIONS AND ORDINANCES - continued

24. Ordinance 2010-0665

ORDINANCE appropriating \$7,200,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Information Technology Equipment from the State Department of Information Resources Contract and other sources to implement Citywide Asset Replacement Program by the Information and Technology Department

25. Ordinance 2010-0670

ORDINANCE approving and authorizing the submission of an application for grant assistance to the Department of Justice's National Institute of Justice for FY10 Solving Cold Cases with DNA Initiative for the Houston Police Department Crime Lab; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program

26. Ordinance 2010-0671

ORDINANCE appropriating \$1,630,432.00 out of DARLEP Fund as an additional appropriation for FY2010 costs allocated to the Digital Automated Red Light Enforcement Program including payment to State of Texas for support of Level One Trauma Centers in Houston

27. Council Members Bradford and Adams tagged

ORDINANCE approving and authorizing contract between the City of Houston and **GT DISTRIBUTORS, INC** for Conductive Energy Devices (Tasers), Accessories, Supplies and Repair Services for the Houston Police Department; providing a maximum contract amount 5 Years - \$4,452,310.25 - General Fund

28. Ordinance 2010-0672

ORDINANCE approving and authorizing contract between the City and **APPLIED BIOSYSTEMS, LLC** for Purchase, Implementation, Validation and Employee Training for use of Automated Robotics for Forensic DNA Analysis for the Houston Police Department Crime Lab - 3 Years with two one-year options - \$352,437.60 - Grant Fund

29. Ordinance 2010-0666

ORDINANCE awarding contract to **TERMINIX INTERNATIONAL COMPANY, L.P.** for Pest Control Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$657,291.50 - General, Enterprise, Stormwater and Building Inspection Funds

30. Pulled - Not Considered

ORDINANCE appropriating \$656,255.11 out of Fire Consolidated Construction Fund and amending Ordinance No. 2007-1052 (Passed on September 12, 2007) to increase the maximum contract amount and approving first amendment to contract between the City of Houston and **SPRING EQUIPMENT COMPANY, INC** for Concrete Repair Services for Various Departments

31. Ordinance 2010-0673

ORDINANCE appropriating \$1,250,000.00 out of Airports Improvement Fund for Supplemental Allocation to contract for Professional Engineering Services by and between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** at George Bush Intercontinental Airport/Houston (Project No. 644; Contract No. 4600009972) - **DISTRICT B - JOHNSON**

RESOLUTIONS AND ORDINANCES - continued

32. Ordinance 2010-0674

ORDINANCE approving and authorizing contract between the City of Houston and **AWC, INC** for Purchase of Siemens related Process Control and Data Equipment/Replacement Parts, Professional Services, Training and Technical Services for Public Works and Engineering Department; providing a maximum contract amount - 5 Years - \$3,000,000.00 - Enterprise Fund

33. Ordinance 2010-0675

ORDINANCE appropriating \$7,470,000.00 out of Street & Bridge Consolidated Construction Fund approving and authorizing payments for land acquisition costs, appraisal fees, relocation expenses, and other services, for and in connection with finding a public necessity for various street projects including (1) Little York Paving: N. Shepherd to Alabonson; (2) Hirsch Road Paving: Kelley to Crosstimbers; (3) Parker Road: Hardy Toll Road to Eastex Freeway; (4) Fondren Road: Hillcroft to McHard (FM 2234); (5) Hughes Road Rehabilitation: Beltway 8 to City Limit (Blackhawk); (6) Airline Reconstruction: N. Main to North Loop (IH610); (7) North Main Reconstruction: 20th and Cavalcade to IH 610; (8) Broadway Reconstruction: IH 45 to Airport Boulevard; (9) Market Street Paving: McCarty to Wayside; and (10) other miscellaneous land acquisition

34. Ordinance 2010-0667

ORDINANCE appropriating \$250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JACOBS ENGINEERING GROUP, INC** for the Intelligent Transportation System

35. Ordinance 2010-0623 – Passed third and final reading

ORDINANCE No. 2010-0623, passed second reading on August 11, 2010
ORDINANCE granting to **OIL PATCH TRANSPORTATION, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

36. Ordinance 2010-0624 – Passed third and final reading

ORDINANCE No. 2010-0624, passed second reading on August 11, 2010
ORDINANCE granting to **VELEZ TRUCKING, INC., A Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 37

MISCELLANEOUS

37. Motion 2010-0616

SET A PUBLIC HEARING DATE regarding a second amendment to the **PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN** for Tax Increment Reinvestment Zone Number Thirteen (Old Sixth Ward Zone) - **DISTRICT H - GONZALEZ**
HEARING DATE - 9:00 A.M. - WEDNESDAY - SEPTEMBER 15, 2010

MATTERS HELD - NUMBERS 38 through 41

38. Motion 2010-0617 – Adopt

RECOMMENDATION from Interim Director General Services Department to award to **HOUSTON ARTS ALLIANCE** for Administration Services and Installation of Civic Art, entitled “Standing Vase with Five Flowers” for Parks & Recreation Department - \$360,500.00 - Parks Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBERS NORIEGA and JONES**

This was Item 7 on Agenda of August 11, 2010

39. Ordinance 2010-0676

ORDINANCE approving and authorizing submission of an application for grant assistance to the State of Texas through the Criminal Justice Division, Office of the Governor, for the Forensic Science Backlog Reduction for Marihuana Initiative; declaring the City’s eligibility for such grant; authorizing the Mayor to act as the City’s representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
TAGGED BY COUNCIL MEMBER JONES

This was Item 22 on Agenda of August 11, 2010

40. Ordinance 2010-0677 – “FAILED**”**

ORDINANCE ordering a Special Election to be held on November 2, 2010, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition amending the City Charter to change the length of terms for City elective offices from two years to four years, to change term limits for city elective offices to two four-year terms in the same office, and to provide for transition from current provisions

TAGGED BY COUNCIL MEMBERS LOVELL, JONES and BRADFORD

This was Item 37 on Agenda of August 11, 2010

41. Motion 2010-0618 – Adopt

MOTION by Council Member Lovell/Seconded by Council Member Noriega to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,488,461.13 and acceptance of work on contract with **REYTEC CONSTRUCTION RESOURCES, INC** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances Package No. 6 - 0.77% under the original contract amount
DISTRICTS A - STARDIG; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; H - GONZALEZ and I - RODRIGUEZ - **TAGGED BY COUNCIL MEMBER ADAMS**

This was Item 38 on Agenda of August 11, 2010

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Gonzalez first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

8/17/2010 – All Present

8/18/2010 – Council Member Jones absent